

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John M.K. Daniel et al.

Serial No.:

10/650,304

Examiner: Unknown

Filed:

August 28, 2003

Group Art Unit: Unknown

For:

DISTAL PROTECTION DEVICE AND METHOD

Docket No.:

1001.1351114

TRANSMITTAL SHEET

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the United States

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Ву

Glenn M. Seager

We are transmitting herewith the attached:

[X] Information Disclosure Statement.

[X] Form 1449(Pursuant to 37 CFR §1.98(d) and 37 CFR §1.98 (a)(2)(i),

copies of the references are not being submitted).

[X] Postcard receipt.

[X] Please charge any deficiencies or regul any overpayment in the enclosed

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By:

Glenn M. Seager, Reg. No. 36,926

Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC

1221 Nicollet Avenue, Suite 800

Minneapolis, Minnesota 55403-2420

Telephone: (612) 677-9050 Facsimile: (612) 359-9349



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certificate under 37 C.F.R. 1.08: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service as first class mail in anyenvelope addressed to: Commissioner for Patents, P.O. Box 1450, Agrandia, VA 22313-1450, on this day of Janaury , 2004.

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Glenn M. Seager

Dear Sirs:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R 1.56, the documents listed on the attached PTO-1449 are hereby disclosed.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Copies of the documents listed on the 1449 Form were previously either submitted by Applicant, or cited by the U.S. Patent and Trademark Office in a prior application, U.S. Application No. 10/160,450 filed May 30, 2002, U.S. Application No. 09/735,332 filed December 12, 2000, U.S. Application No. 09/409,497 filed September

30, 1999, U.S. Application No. 08/943,358 filed October 3, 1997, now U.S. Patent No. 6,001,118, U.S. Application No. 08/810,825 filed March 6, 1997, now U.S. Patent No. 5,814,064, U.S. Application No. 08/813,794 filed March 6, 1997, now U.S. Patent No. 5,827,324, or is a U.S. patent application publication or a U.S. patent, upon which Applicant relies for the benefits provided in 35 U.S.C. §120. Therefore, under the provisions of 37 C.F.R. §1.98(d) and 37 CFR §1.98(a)(2)(i), copies of these documents are not being submitted herewith.

Applicant respectfully requests that the Examiner consider the documents listed on the 1449 Form and indicate that they were considered by making appropriate notations on the attached 1449 form.

Dated: Jan. U. In 4

Respectfully submitted,

Glenn M. Seager, Reg. No. 36,926

Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC

1221 Nicollet Avenue, Suite 800 Minneapolis, Minnesota 55403-2420

Telephone: (612) 677-9050 Facsimile: (612) 359-9349

FORM 1449'

IN AN APPLIC	CATION TO A CONTRACT
IN AN AFFLI	SATISTIC

(Use several sheets if necessary)

Docket	Number:

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U.S. Patent Documents						
Examiner Initial	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	
-	2003/0130685	07/2003	Daniel et al.			
	6,344,049	02/05/02	Levinson et al.			
•	6,319,268	11/20/01	Ambrisco et al.			
	6,325,815	12/04/01	Kusleika et al.			
	6,309,399	10/30/01	Barbut et al.			
	6,290,710	09/18/01	Cryer et al.			
	6,287,321	09/11/01	Jang			
	6,280,413	08/28/01	Clark et al.			
	6,277,139	08/21/01	Levinson et al.			
*	6,277,138	08/21/01	Levinson et al.			
<u> </u>	6,270,513	08/07/00	Tsugita et al.			
	6,264,672	07/24/01	Fisher			
,	6,264,663	07/24/01	Cano			
	6,258,115	07/10/01	Dubrul			
	6,245,089	06/12/01	Daniel et al.			
	6,245,088	06/12/01	Lowery			
-	6,245,087	06/12/01	Addis			
	6,238,412	05/29/01	Dubrul et al.			
	6,235,045	05/22/01	Barbut et al.		· · · ·	
	6,235,044	05/22/01	Root et al.			
	6,231,544	05/15/01	Tsugita et al.			
	6,224,620	05/01/01	Maahs			
	6,221,006	04/24/01	Dubrul et al.			
	6,214,026	04/10/01	Lepak et al.			
	6,206,868	03/24/01	Parodi			
	6,203,561	03/20/01	Ramee et al.			
	6,179,861	01/30/01	Khosravi et al.			

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DATE CONSIDERED:

FORM 1449'

INFORMATION DISCLOSURE SCATEMENTS IN AN APPLICATION

(Use several sheets if necessary)

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			U.S. Patent Documents		
Examiner Initial	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
<u>-</u>	6,179,859	01/30/01	Bates et al.		
	6,179,851	01/30/01	Barbut et al.		
· . <u>-</u>	6,171,328	01/09/01	Addis		
	6,171,327	01/09/01	Daniel et al.		
	6,168,579	01/02/01	Tsugita		
-	6,165,200	12/26/00	Tsugita et al.		
1	6,152,946	11/2800	Broome et al.		
	6,142,987	11/07/00	Tsugita		
-	6,136,016	10/24/00	Barbut et al.		
	6,129,739	10/10/00	Khosravi		
	6,117,154	09/12/00	Barbut et al.		
	6,086,605	07/11/00	Barbut et al.		
	6,068,645	05/30/00	Tu		***
<u>,,</u>	6,066,158	05/23/00	Engelson et al.		
······································	6,066,149	05/23/00	Samson et al.		
-	6,059,814	05/09/00	Ladd		
	6,053,932	04/25/00	Daniel et al.		
	6,051,015	04/18/00	Maahs		
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	6,042,598	03/28/00	Tsugita et al.		
	6,027,520	02/22/0	Tsugita et al.		
	6,013,085	01/11/00	Howard		
	6,010,522	01/04/00	Barbut et al.		- w-
	6,007,557	12/28/99	Ambrisco et al.		
	6,001,118	12/14/99	Daniel et al.		
	5,997,557	12/07/99	Barbut et al.		
	5,993,469	11/30/99	McKenzie et al.		

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DATE CONSIDERED:

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(Use several sheets if necessary)

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U.S. Patent Documents						
Examiner Initial	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	
	5,989,281	11/23/99	Barbut et al.			
	5,980,555	11/09/99	Barbut et al.			
•	5,954,745	09/21/99	Gertler et al.			
***	5,947,995	09/07/99	Samuels			
	5,941,896	08/24/99	Kerr			
	5,941,869	08/24/99	Patterson et al.			
	5,935,139	08/10/99	Bates			
	5,925,062	07/20/99	Purdy			
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	5,911,734	06/15/99	Tsugita et al.		-	
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	5,895,399	04/20/99	Barbut et al.		1	
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	5,848,964	12/15/98	Samuels			
-	5,846,260	12/08/98	Maahs			
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	5,810,874	09/22/98	Lefebvre			
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	5,800,457	09/01/98	Gelbfish			
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	5,792,157	08/11/98	Mische et al.			
	5,779,716	07/14/98	Cano et al.			
	5,769,816	06/23/98	Barbut et al.			

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Examiner DOCUMENT DATE SUBCLASS						
Initial	NO.	DATE	NAME	CLASS	SUBCLASS	
	5,749,848	05/12/98	Jang et al.			
	5,728,066	03/17/98	Daneshvar			
•	5,720,764	02/24/98	Naderlinger			
	5,695,519	12/09/97	Summers et al.			
	5,695,518	12/09/97	Laerum			
	5,662,671	09/02/97	Barbut et al.			
· ·	5,658,296	08/19/97	Bates et al.			
	5,626,605	05/1997	Irie et al.			
14.4	5,549,626	08/27/96	Miller et al.			
·	5,536,242	07/16/96	Willard et al.			
- · · · · · ·	5,527,338	06/18/96	Purdy			
	5,462,529	10/31/95	Simpson et al.			
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	5,423,851	06/1995	Samuels			
	5,423,742	06/13/95	Theron			
	5,421,832	06/06/95	Lefebvre			
	5,376,100	12/27/94	Lefebvre			
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	5,160,342	11/03/92	Reger et al.			
	5,152,777	10/06/92	Goldberg et al.			
	5,152,771	10/06/92	Sabbaghian et al.			
	5,147,379	09/1992	Sabbaghian et al.			

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DATE CONSIDERED:

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Examiner	DOCUMENT	DATE	NAME	CLASS	SUBCLASS
Initial	NO.			02.130	
	5,133,733	07/28/92	Rasmussen et al.		
	5,108,419	04/1992	Reger et al.		
	5,102,415	04/07/92	Guenther et al.		
	5,100,423	03/31/92	Fearnot		
	5,071,407	12/10/91	Termin et al.		
	5,053,008	10/01/91	Bajaj		
	5,011,488	04/30/91	Ginsburg		
	5,002,560	03/26/91	Machold et al.		
	4,998,539	03/12/91	Delsanti		
	4,969,891	11/13/90	Gewertz		
. 1911	4,926,858	05/22/90	Giffort, III et al.		
	4,921,484	05/01/90	Hillstead		
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	4,873,978	10/17/89	Ginsburg		
	4,807,626	02/28/89	McGirr		
	4,794,928	01/03/89	Kletschka		
	4,790,813	12/13/88	Kensey		
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	4,728,319	03/1988	Masch		
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	4,706,671	11/17/87	Weinrib		, , ,
.	4,662,885	05/05/87	DiPisa, Jr.		
	4,650,466	03/17/87	Luther		
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	4,590,938	05/27/86	Segura et al.		
F1	4,447,227	05/1986	Kotsanis		
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DATE CONSIDERED:

FORM 1449'

INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:	Application Number:

1001.1351114 10/650,304

Applicant: Daniel et al.

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			U.S. Patent Documents		
Examiner Initial	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
	4,046,150	09/06/77	Schwartz et al.		
- 	3,996,938	12/14/76	Clark, III		
•	3,952,747	04/27/76	Kimmell, Jr.		
	3,472,230	10/19/69	Fogarty		
	B1 4,842,579	10/31/95	Shiber		
		FORE	IGN PATENT DOCUMENT	S	
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W	O 01/89413	11/29/01	WIPO		
W	O 01/87183	11/22/01	WIPO		
W	O 01/72205	10/04/01	WIPO		
W	O 01/70326	09/27/01	WIPO		
W	O 01//67989	09/20/01	WIPO		
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W	O 01/52768	07/26/01	WIPO		
W	O 01/49355	07/12/01	WIPO		-
W	O 01/49215	07/12/01	WIPO		
W	O 01/49209	07/12/01	WIPO		
W	O 01/49208	07/12/01	WIPO		
W	O 01/47579	07/05/01	WIPO		
W	O 01/43662	06/21/01	WIPO		
W	O 01/35857	05/25/01	WIPO		
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W	O 01/21100	03/29/01	WIPO		
W	O 01/21077	03/29/01	WIPO		
W	O 01/15629	03/08/01	WIPO		

EXAMINER:	DATE CONSIDERED:
270 (10)111211	
EXAMINER: Initial if reference considered, whether or not citation is in c	conformance with MPEP 609; draw line through citation if not in

conformance and not considered. Include copy of this form for next communication to the Applicant.

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Docket Number:

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1001.1351114

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	WO 01/10320	02/15/01	WIPO	
	WO 01/08743	02/08/01	WIPO	
_	WO 01/08742	02/08/01	WIPO	
	WO 01/08596	02/08/01	WIPO	
	WO 01/08595	02/08/01	WIPO	
	WO 01/05462	01/25/01	WIPO	
	WO 00/67669	11/16/00	WIPO	
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	DE 199 16 162	10/26/00	Germany	English Abstract
	WO 00/53120	09/14/00	WIPO	
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	WO 99/58068	11/18/99	WIPO	
	WO 99/55236	11/04/99	WIPO	
	WO 99/44542	09/10/99	WIPO	
	WO 99/44510	09/10/99	WIPO	
	EP 0 934 729	08/11/99	WIPO	
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WO 99/09895	03/04/99	WIPO	
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WO 98/36786	08/27/98	WIPO	
WO 98/34673	08/13/98	WIPO	
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EP 0 852 132 A1	07/08/98	EPO	English Abstract
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WO 98/02084	01/22/98	WIPO	
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	WO 96/10375	04/11/96	WIPO	
	WO 96/01591	01/25/96	WIPO	
	EP 0 696 447 A2	02/14/96	EP	
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	WO 94/24946	11/10/94	WIPO	
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	FR 2 694 687	08/12/92	FR	English Abstract
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	FR 2 580 504	10/24/86	FR	English Abstract
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	SU 764684	09/25/80	U.S.S.R.	Translation
	DE 28 21 048	07/17/80	DE	

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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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	"Endovascular Grafts, Stents Drive Interventional Radiology Growth," <u>Cardiovascular</u> Device Update, 2(3):1-12 (March 1996)
	"Protruding Atheromas in the Thoracic Aortic and Systemic Embolization," pp. 423-427 American College of Physicians (1991)
	"Recognition and Embolic Potential of Intraaortic Atherosclerotic Debris," American College of Cardiology (January 1991)
	Cragg, Andrew et al., "A New Percutaneous Vena Cava Filger," <u>AJR</u> , <u>141</u> :601-604 (September 1983)
,	Cragg, Andrew et al., "Nonsurgical Placement of Arterial Endoprosthesis: A New Technique Using Nitinol Wire," AJR, pp. 261-263 (April 1983)
	Diethrich et al., "Percutaneous Techniques for Endoluminal Carotid Interventions," <u>J.</u> Endovasc. Surg., 3:182-202 (1996)
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EXAMINER:

DATE CONSIDERED:

		PE JOSE		
FORM 14	49*	184 5 g	Docket Number:	Application Number:
INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION		ATEMENT 3	1001.1351114	10/650,304
		ENT 2 TPM	Applicant: Daniel et al.	
•	(Use several sheets if nece	essary)	Filing Date: August 28, 20	003 Group Art Unit: Unknown

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